

**IN THE WAITANGI TRIBUNAL**

**Wai 2700  
Wai 1968**

**IN THE MATTER**

**of the Treaty of Waitangi Act 1975**

**AND**

**IN THE MATTER**

**of the Mana Wāhine Kaupapa Inquiry (Wai  
2700)**

**AND**

**IN THE MATTER**

**of a claim by Rueben Taipari Porter on behalf  
of the descendants of Materangatira Lily  
Tuwairua Porter and Herepete Poata and  
members of whanau Pani**

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**AMENDED BRIEF OF EVIDENCE OF MATERANGATIRA LILY TUWAIKUA  
PORTER**

**Dated 29<sup>th</sup> day of June 2021**

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Waitangi Tribunal

**30 Jun 2021**

Ministry of Justice  
WELLINGTON

## MAY IT PLEASE THE TRIBUNAL

### Introduction

1. My name is Materangatira Lily Tuwairua Porter. My whānau is from Te Urewera and Ngai Tūhoe. I also have connections to Te Whakatohea, Te Arawa, Waikato Tainui and Te Whānau a Apanui. I was born in 1936 to Hena Tuwairua and Temamae Kiripa and I grew up in Waimana in Te Urewera. I lived mostly with my grandmother, Wari Materangatira Maraki, because our family was so big. I would go with my grandmother when my parents went to work.
2. My grandfather was Tuwairua Te Hira and my grandmother, Wari Materangatira Maraki was a widower for quite some time and then met up with Te Kapo o Te Rangi, a tohunga of Ngāti Koura hapū of Ngai Tūhoe. They decided to stay together, and they brought me up together. I went with them when I was about 2 years old. My grandmother was a great wāhine, one of those stately old ladies. She had a lot of mana and she wore a long black skirt and black scarf and would walk to my school to visit me. The other kids had never seen anyone like her and loved it when she would visit me.
3. Te Kapo o Te Rangi was very well known and was a tohunga wananga. He used to write Māori waiata and whakapapa. He used to heal people. People would come in vans and cars to the Mataatua marae in Rotorua. I used to play outside the wharenuī where Te Kapo o Te Rangi and my grandmother were healing people. They always made sure I was safe. As a child, he was just my grandfather. However, the special thing about him was he was a tohunga. My grandmother also carried a lot of mana and was an excellent weaver. She did not talk much but she was the decision maker, especially when it came to our whānau marae. She used to make the final decisions because there were not many others left and she was a rangatira.
4. I more or less lived in a world of my own. I was the only child with Te Kapo o te Rangi. We used to sleep in the meeting house. I would sleep way up the other end of the wharenuī, and they used to sleep by the doorway. The tikanga was that the old people would sleep by the door and be the first

people to see anyone that came into the wharenuī. If anyone came in to attack the whanau, they would be there to protect the whanau.

5. When I was 5 years old and ready for school, I went back to my parents. I stayed with them until I was about 8 years old, when my grandmother and Te Kapo took me back with them to go to school in Rotorua. I went to school in Rotorua for about 6 months and during that time I learnt a lot about my whanau in Te Arawa. After that I went back home to Waimana. Then I went to college in Opotiki and I met my mother's side of the whanau there.
6. My first husband was Dover Arthur Samuels, of Ngāti Kura; we married when I was about 22 years old. We had a son, Joseph Arthur, and he was brought up by my parents. We also had a daughter, Sonia Rita. We had her for a little while and she also went to my parents. After my second daughter, Mahara was born I gave her to my sister. My sister tried to adopt her but Mahara died before she was one year old.
7. I moved from Tamaki Makaurau to Ahipara in the early 1960s with my late husband, Herepete Poata (Herbert Porter) and our first son, Matthew. The next morning, we woke up in Ahipara, in the township of Teneke, and then we moved to Tauroa. There were old people picking seaweed there. We were there for about a year and then came back to Ahipara to live on the farm. We had four more tamariki, Gideon, Bertha and Rueben and Terana. My son, Rueben Taipari Porter is the named claimant for the Wai 1968 claim.
8. Ngāpuhi have their own traditions that are very different from us. I have been able to live with them. My evidence will speak about the Tūhoe tikanga and mātauranga because this is what I know.

### **Whakapapa**

9. Whakapapa is the most important thing to a Māori. Without your whakapapa you are no one. You are connected to someone. When someone gives their whakapapa, this is usually done through karakia. The wāhine o Tūhoe kāore e whaikōrero me te whakapapa. He tikanga no te wāhine. He tikanga na te tane. It is not tika for the wāhine of Tūhoe to whakapapa or to whaikōrero. Instead, the wāhine of Tūhoe have a very important role and responsibility of

lifting the tapu of the whare wananga. Tino mahi nui ko te whakanoa. This role is very important. This is because a man cannot do this.

10. The other reason wahine do not speak on the paepae in Tūhoe because it is for the men to protect the wahine. The mahi o te tane is to protect wahine. I know that some wahine got involved in the fighting, but their main job was to look after the tamariki. When the men spoke on the paepae they stood out in front of the people, and in standing there, there is a potential for them to be attacked first. In this way, Tūhoe men protected the wahine and this is another reason Tūhoe wahine do not whaikōrero.

### **Mana Wāhine**

*Te mana o te wāhine no, mai te rangi ki te whenua*

11. The mana of wāhine comes from the heavens and te Papatūānuku. It is in us, but we do not realise it until we live it. For many wāhine today, they do not believe that it is in them and that is the problem. The real thing about mana is that it stands out and everybody can see it too. If there is an outstanding person, it is self-evident. It is the same with mana wāhine: she is viewed by her behaviour and from who she has descended from.
12. In the old days, some wāhine were slaves. The slave owners did not realise that a slave had mana because they were treated as slaves and not viewed differently from the other slaves. However, wāhine with mana ultimately became the wives of chiefs and/or slave owners because of the inherent quality of mana which they possessed. The rangatira kōrero comes from toto (the blood). If you are from a Rangatira whānau, you already had mana. You had it before you were born. You could also gain mana from your mahi for the people or from your contribution to anything such as the whenua. You cannot say to people you have mana. Others say it. Kei a koe te mana. They give you mana. You could also inherit mana if you inherited whenua. So, you might inherit mana, you might create some mana, and for some, they were born with mana. Those who work at the back of the marae, they have their own mana even though it might not be of the character or quality or the type of mana that a tohunga or a Rangatira holds.

13. I used to admire the old ladies in the old days. We had tents during tangi in the old days. I used to watch them there because I was little. In that cold tent with a body, they would stay in the tent for three days and karanga. It did not look like a problem to them. I used to marvel at them. They were very strong women. They did not talk much. The tikanga is changing; a lot of the beautiful tikanga is lost. I remember we had wāhine who would stay with us tamariki and tell stories and make us laugh. They had plenty of time in those days. All their time was for their mokopuna. They would kōrero wherever they went. They would kōrero about the maunga. Kōrero about the ngahere. As we walked along the awa they would kōrero about our history. We used to know every part of our whenua and the awa and moana that was within our rohe. What I remember most is that the wāhine had time to kōrero.

### **The Roles of Wāhine and Tane**

14. The most important role of wāhine Māori is to the creation and birth of tamariki Māori. This is involved in the whare tangata, the body. There are different roles for the tane and for the wāhine. This is not in itself, degrading but it is just that there was a designation of roles in Ngāi Tūhoe. Some things could only be done by the wāhine, while other things could only be done by a man. That said, there are different types of wāhine and roles that they will play. Usually, tane will accept them and the roles that they play if they know that the wāhine are acting in accordance with tikanga and acting for the best interest of the people. Yet they would not support you if they thought your kaupapa was for your personal benefit.
15. The wāhine has mana over the karanga, birthing and raising tamariki and looking after her body. I remember one of my tipuna, Te Pairi, a tohunga of Ngai Tūhoe from Waimana went to Gisborne. He went onto a marae and a wāhine spoke on the paepae. He turned right around and came home. Another time, there was a guy who had died by hanging in Gisborne. The police were all around him and did not know how to get him down without cutting the rope or his throat. The Maori who were around told the police that Te Pairi could get him down without cutting the rope. The police waited for Te Pairi and they stopped him, and he came in and then not long after the man was on the ground and the rope was off his throat.

### *Whaikōrero and Advocacy*

16. If you want to whaikōrero, you must be a man. This is the tikanga from a long, long time before and that is because it is tapu. Tikanga is very important. Once you lose tikanga anyone can do what they want. One of the reasons for this tikanga is that there was a lot of mākutu being used against those who might be seen to be better speakers. The tikanga of having only men to whaikōrero was to protect wahine from being the subject of mākutu. Some people are shy; they do not want to talk on the paepae. They might have as much knowledge as those who whaikōrero, but they just do not speak up. Just because they do not talk does not mean that they do not have mana.
17. On a marae, it is the men who whaikōrero on the paepae; whereas the wāhine karanga. The tane and wāhine do not act independently. They must work together. They must know what one another are doing. If they do not know who is doing what, someone will quickly remind them.
18. I am a kaikaranga but in Ngapuhi the men can warea and the wahine do not need to karanga. Similarly, if know your tikanga wahine can speak up at an appropriate time. One of the men that I spoke up to was shocked because usually what he says is law; this is because no one knew the tikanga. Most wahine just follow the leader. However, there are times that the women are listening to the men speaking, and then a wāhine will correct them afterwards. The men get a fright. Wāhine have got a lot of say in relation to improving tikanga.
19. Both wāhine and tane can be an advocate for others. However, you had to get permission. You could not speak on behalf of others if you did not have permission or the mandate to do so. Yet, although it was possible for wāhine to be an advocate this role was mostly undertaken by the men.

### *Rangātira and Tohunga*

20. If you were born with a gift, the old people would pick it up when they would predict your destiny as a pēpi. This is nothing new. The old people can tell what the pēpi is going to be. If you are born into a whānau that is of a

rangātira or tohunga line, then it would become clear over time the one (of your siblings) who loves the mahi and who wants to do it. There is always one that is dedicated to that project. The elders all pick it up who it is, and the mana is given to that person and so it goes on to the next generation.

21. Sometimes there is a fight over who carries the mana; however, it is the one who does tikanga right that is chosen. Usually, the people will choose the person because of their manaakitanga. Most whānau like the male to be the rangatira. My sister was a born leader. If she had been born a man, she would have been a great rangatira.

#### *Decision making*

22. I remember in my whānau when they were preparing to build a marae in Waimana, my grandmother was the only kuia of that generation; she was a mana wāhine. She made the decisions because she knew the tikanga. When she was talking, my father, my uncles were there, and they learnt from her knowledge and listened to her.

#### *Kaitiaki*

23. In the old days, both tane and wāhine would be kaitiaki in certain areas. A person would be nominated to be kaitiaki of a certain area like the seabed. Of course, you must have mana whenua to be chosen.
24. In Ahipara, the old tikanga is different from today. In the old days there would only be one or two kaitiaki for Ahipara. It would be a local kaumatua or kuia who was born here and knew the history. Nowadays there is a whole group of kaitiaki. In the old days, they knew the whenua and knew where areas had a rāhui, and they knew all about what had happened in the past.
25. In the old days, somebody would plant and someone else would be in the gardens. The mahi was shared. Each whānau would do the mahi and share the kai. The tikanga was really good then. Today, everyone wants to do their own thing. Sharing was a happy occasion. You feel good when you are sharing something. I remember when we used to eat. If you have one big fish head, everyone will take from the one plate. We would share our kai, be it

bread, apples or kaimoana. We would share everything, even our clothes. Sharing was a big thing for Māori. We would always give somebody something if it were not needed.

### **The Whānau**

26. In the old days, the whānau lived in a pah. The living together continued through this life and into the next: they would also have an urupā and the whānau stayed together even there. That is a concept of how a whānau is: they were born together, lived together and they remained together in the urupā.
27. The role of everyone in the whānau was to support the whānau. Māori were very supportive of keeping their whānau together.
28. The role of wāhine within the whānau was in relation to the birthing and manaaki of tamariki and the old people. Caring is one of their main roles.
29. When a wāhine is hapū everyone gets happy. They become the Queen of the house and get special treatment. The best of the food, the best of everything. There is a Tūhoe tradition that if you are pregnant you get the best part of the kereru (pigeon), that is, the flesh. The wāhine who is hapū gets nursed and looked after. Some of the husbands, they go out of their way to make their wāhine happy. If their wāhine is hungry for something special, they get what they want.
30. When you gave birth there is special tikanga. If the wāhine is of a Rangatira line, a special nurse would come to take them away. Tamariki were not allowed anywhere nearby. Generally, the wāhine are taken to another place away from everyone, it might have been under a tree or to another home. They would have special karakia. A special person was involved, like a tohunga. I was told that my mother and my uncle used to do it. That is how I learnt about the tikanga around childbirth. One time, when I was about 8 years old, I remember going out very early in the morning to the wharepaku. I heard the mother having her childbirth pains. I never heard it again after that. Afterwards, the afterbirth is taken away. They put it in a special place.



31. There is the whangai of tamariki within the whānau where parents had to work, and the tamariki would be brought up by aunties and uncles, or their nannies. The nannie's motivation was to give the parents a break or to teach the tamariki or to build up a child to fulfil their destiny. Sometimes they might teach their mokopuna about diving or kaitiaki roles, manaakitanga, te reo, or tikanga. They would teach the tamariki about special things that the parents did not have time to teach them about, such as the taniwha, or te maunga. They would teach children the history of the whenua, like that someone died here, and someone had an affair there. They would teach them all that but in a way that it is natural.
32. Sometimes the whānau wants tamariki to learn certain things, certain tikanga. Sometimes tamariki were adopted to learn other relation's iwi and rohe. They take you away so you can learn about your other relations. I was taken to Rotorua and I was the only one there. I did not know I was from there.
33. My sister gave her tamariki to our mother. In other cases, other whānau might see that there are too many children and just pick them up and take them. The tamariki would get the love they need. The downside is that some of the tamariki do not want to go back to their "parents". My grandmother brought up my two children. Some of the reasons are that the two parents need to go to work and the old people look after their mokopuna. All of us got given away.

### **Manaakitanga**

34. Adoption is the real manaaki. Although you would look after your own whānau, it is special when someone goes and adopts someone. We had a lot of adoptions in our whānau. During those times, the Manaaki is all on the adopted tamariki and the tamariki of that whānau get left out. However, the tamariki are taught that the whangai'd child is special and is one of us. We were not allowed to be jealous. You were to control your wairua because that is what Manaaki is.

## Whakamā, Mākutu and Utu

35. The word whakamā connotes something that you caused. The other whakamā is something someone might have done in your whānau, which has caused your whānau shame. For example, my daughter said to me the other day, my brother has gone and spoken our whakapapa and it is wrong. She told me what is wrong about it. I said to her, because he is my son, I take the blame. I am whakamā about it. That is an example of a whakamā. Someone caused something to make the whole whānau whakamā. That is one whakamā I know.
36. Sometimes people get sick when they get whakamā about what they did. They would need to go to a tohunga. Someone would pick it up in the whānau and look for someone to help. This would help in the old days.
37. Whakamā can be caused by something you say that is not correct. It is a mistake you made, and as a result you get embarrassed about it. If your mistake affected other whanau or other people then they might feel embarrassed or humiliated by the mistake, this can be understood as whakamā. In the old days, it was a feeling that whatever has happened is not good. people would live with the whakamā and never forgot it. They could not get rid of it. Only a tohunga could cure them.
38. Whakamā can go right through the whānau and sometimes to your iwi. If I went to another area and did something, my whole iwi would hear about it.
39. If a person did something wrong, they might experience mākutu as a result. This was when the utu would start. Mākutu was used in the old days to discipline a person but also to ensure that others do not follow their example. In the old days, people could identify when someone had done something wrong because the behaviour of the person changes. A lot of Māori can pick up what is happening, and they would go straight to a tohunga. My nana used to remove mākutu. I remember that most Māori could use mākutu. The mamae was usually caused by jealousy, greed, or other things that occur in life. I remember an incident when a wāhine was living with a pakeha tane and a pretty wāhine came along and took the husband away. Someone

picked up on this and mākutu and utu occurred. I remember this because the case was brought to my grandmother and she removed the mākutu.

40. My experience of tohunga, through my grandfather Te Kapo o te Rangi, who lived with my grandmother was that he tried to save lives. The people only came to him as a last resort. Sometimes he had to say that “you are too late; I can’t help you”. This was because people would go elsewhere to try to get fixed. Some would have already had operations that did not work and then they would come to him. It was sad because they were dying. He said, I can try but I cannot guarantee anything. He would tell them that he had always said in his kōrero to come to him first.
41. For me, I still believe and prefer rongoā and to rely on tohunga. My sons booked me to get an operation recently, but I did not want to get operated on. I refused the surgery, but my kids made all the appointments. When I met the surgeon, he told me he was from Taneatua, which is near to Waimana, where I am from, and he understood why I would rather not be operated on. I remember him putting his hand on my shoulder and as he did that, I felt it as if it were OK. The treatment I was given was very successful. Two years later I am still here.

### **Tikanga Māori**

42. When I came to Ahipara, I was surprised at how many people were in Kōhanga Reo. I have been working in Kōhanga Reo for 20 years. Again, any mahi that you do and the support for it depends on who your kaupapa is for. I was not interested in being involved in Kōhanga Reo. I had had my tamariki and I did not want to teach other tamariki, but the cry of the mothers was strong. Many of the mothers did not go onto the marae because they did not understand tikanga. So, I taught their children so they could go on the marae. It was needed. Now for things like that, you will get support from the men. If they feel it is not right or might be disruptive or cause raruraru, then you might not get support for the mahi. Māori are very supportive of whatever you do as long as it is creating something for the benefit of not only your whānau but the hapū or iwi.

43. When I came to Ahipara, I was lucky. I knew Tūhoe tikanga. Many of the people here were brought up in Christianity and as a result a lot of their tikanga had been lost. There were a few around that had retained the mātauranga and tikanga Māori. I was brought up in a world that did not have Christianity. I was brought up in a completely different world.
44. During the Whakapakari Tino Rangatiratanga course at Kōhanga Reo, my tikanga was to let the other wāhine get in first. This is their whenua, their rohe. I come from a different area. The other wāhine wanted to learn reo. They were three months into the course, but they did not understand what was going on in the teaching. This was because they had never learnt about the Māori gods. It was normal to me because I heard them teaching when I was little. There is a tikanga to go with knowing about te Atua. However, three months into the course, the other wāhine were all falling out of the course, so I brought up Io Matua Kore. I did not really know all about him. I did know he was a Māori god. No one knew what I was talking about except for the tutors. I shared what I knew with them. Sharing is a good tikanga. To share your knowledge is a good tikanga. A lot of people are greedy. They want to keep the mātauranga for themselves. I think that you did not get it by yourself. Everyone learns from someone so why keep it to yourself. This is a tikanga. When the wāhine were with me. They learnt my tikanga and when they went out, they learnt their tikanga. It is good for them to learn others tikanga as well. It helps to enable us to respect other people and their tikanga.
45. Mātauranga is learning, but tikanga is living it. For instance, you can learn that you can go and fish, but tikanga is you have been out at the sea and got the fish. So that tikanga is important to Māori. You understand and live it, and it does not leave you. It stays with you. Everything you learn is built into you.

## **Whenua**

46. Everybody knows about the relationship between Papatūānuku and the wāhine. In my day, there were some wāhine that were in charge of their whenua and they had rights to their whenua. They lived on it. They exercised ahi kaa roa. It could have been that they did not have brothers, or that the brothers had died and the wāhine were the only ones remaining. In the old

days, the tikanga was that the whenua was passed down to men. The reason for this was that it was the men's role was to protect. With the whenua, it may have been that the men were to protect the whenua and to ensure that the whenua stayed in the whanau. The other reason is to keep the name going for whakapapa. Only the men do this, the wahine do not. The role of the men to protect wahine from being killed so that they could look after the tamariki.

**DATED at AHIPARA this 29th day of June 2021**

Materangatira Lily Porter

**Materangatira Lily Porter**